

FEBRUARY

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IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

**WILLIAM HAAS AND AKHLAQUR
RAHMAN on behalf of themselves and all
others similarly situated,**

No. 13-cv-08130 (RA) (JLC)

Plaintiffs,

v.

VERIZON NEW YORK, INC.,

Defendant.

STIPULATION OF DISMISSAL WITH PREJUDICE

WHEREAS, on November 14, 2013, Plaintiffs William Haas and Akhlaqur Rahman filed the above-captioned lawsuit against Verizon New York, Inc. ("Verizon") asserting overtime and minimum wage claims under the Fair Labor Standards Act ("FLSA") and New York Labor Law ("NYLL"), wage-statement claims under the NYLL, and claims under the Employee Retirement Income Security Act ("ERISA");

WHEREAS, on July 28, 2014, the Court approved the stipulated dismissal of Plaintiff Haas's and Rahman's ERISA claim (Seventh Claim for Relief) without prejudice (*see* Dkt. No. 27);

WHEREAS, on November 17, 2014, Verizon moved for partial summary judgment as to Plaintiff Haas's and Rahman's individual FLSA and NYLL claims;

WHEREAS, on September 30, 2015, the Court adopted in part a report and recommendation issued by Magistrate Judge James L. Cott (*see* Dkt. No. 187 ("Haas Decision"));

WHEREAS, pursuant to the Haas Decision, the Court dismissed Plaintiff Haas's and Rahman's FLSA overtime claims in their entirety (First Claim for Relief);

WHEREAS, the Court further dismissed Plaintiff Haas's and Rahman's FLSA minimum wage claims in their entirety (Second Claim for Relief) (*id.*);

WHEREAS, the Court further dismissed Plaintiff Haas's NYLL overtime claims in 2009, 2010, 2011, and 2012 (Third Claim for Relief) (*id.*);

WHEREAS, the Court further dismissed Plaintiff Rahman's NYLL overtime claims in 2010, 2011, and 2012 (Third Claim for Relief) (*id.*);

WHEREAS, the Court further dismissed Plaintiff Haas's and Rahman's NYLL minimum wage claims (Fourth Claims for Relief) (*id.*);

WHEREAS, Plaintiffs Haas and Rahman did not assert a Fifth Claim for Relief;

WHEREAS, the Court further dismissed Plaintiff Haas's and Rahman's NYLL wage-
statement claims (Sixth Claim for Relief) (*id.*);

WHEREAS, on July 12, 2016, the Court consolidated the above-captioned lawsuit with the related lawsuit styled *Brancato v. Verizon New York Inc.*, Case No. 14-cv-3793 (see Dkt. No. 220);

WHEREAS, Plaintiff Joseph Brancato agreed that the reasoning of the Court's Order in the Haas Decision applied to his FLSA and NYLL claims, and agreed to dismiss such claims in their entirety with prejudice (*see id.*);

WHEREAS, at this time, the only claims remaining before this Court are Plaintiff Haas's and Rahman's NYLL state-law claims (Third Claim for Relief) for certain years.

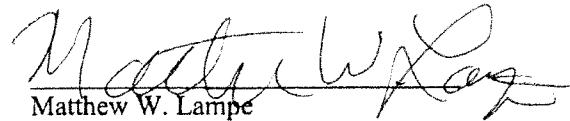
In accordance with the terms of Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, it is hereby stipulated that those remaining claims, specifically Plaintiff Haas's NYLL claims for years 2007 and 2008 and Plaintiff Rahman's NYLL claims for years 2007, 2008, and 2009, and this action, are now hereby dismissed with prejudice.

Each party shall bear its or his own costs.

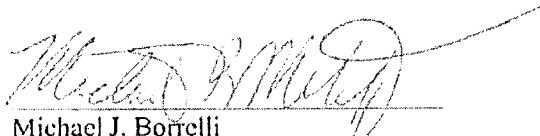
Dated: April 5 2017

STIPULATED AND AGREED:


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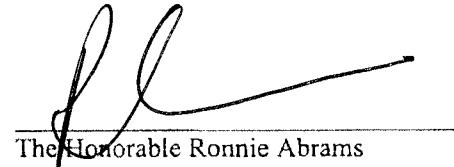
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*Attorneys for Plaintiffs William Haas,
Akhlaqur Rahman, and Joseph Brancato*

SO ORDERED

Dated: April 6, 2017
New York, New York


The Honorable Ronnie Abrams

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